

USE ATTAINABILITY ANALYSIS FOR
NEW ALAMO CREEK AND ULATIS CREEK

Technical Memorandum No. 2

**Existing Municipal and Domestic Uses
of Alamo Creek, Ulatis Creek,
and Cache Slough**

Prepared for:

CITY OF VACAVILLE

Prepared by:



ROBERTSON - BRYAN, INC.
Specializing in Water and Power Resources

August 2007



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Prepared for:

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AUGUST 2007

EXECUTIVE SUMMARY

A Use Attainability Analysis (UAA) is being conducted for portions of New Alamo Creek and Ulatis Creek to assess whether the municipal and domestic water supply (MUN) beneficial use designation for specific segments of these water bodies is appropriate. MUN is defined by the *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins* as “uses of water for community, military, or individual water supply systems including, but not limited to, drinking water supply.” The segments being evaluated are:

- New Alamo Creek from Old Alamo Creek to Ulatis Creek, and
- Ulatis Creek from New Alamo Creek to Cache Slough.

This Technical Memorandum was prepared as part of the evaluation to determine whether the MUN use is an existing or attainable use in the above segments. An existing use is defined by Title 40 of the Code of Federal Regulations, Section 131.3(g) as, “those uses actually attained in the water body on or after November 28, 1975, whether or not they are included in the water quality standards.”

Permitted/Licensed Water Rights

Robertson-Bryan, Inc. (RBI) requested a water rights search from the State Water Resources Control Board (State Water Board) for Ulatis Creek and all of its tributaries. In July 2007, RBI updated the water rights search through the online database Water Rights Information Management System (WRIMS) and did not find any changes to the State Water Board search. The searches revealed the following findings:

1. There are a total of 65 water rights that have been filed with the State Water Board on Ulatis Creek or its tributaries, which include Alamo Creek, Laguna Creek, Espinosa Creek, McCune Creek, Sweeny Creek and a number of other named and unnamed smaller tributaries.
2. Only two water rights exist for the purpose of domestic uses, D030686R and S009276, both of which are located in the upper reaches of Ulatis Creek.
3. Only irrigation water rights exist within the UAA study segments. No water rights for domestic water uses exist within the UAA study segments.

Riparian Rights Analysis

There are no known claimed riparian rights along any of the UAA study segments downstream of the WWTP. While there is the theoretical potential for someone to claim a riparian right within the UAA study segments, the legitimacy of such a riparian claim is questionable due to both the nature of the water within the segments and the physical characteristics of the segments

themselves. New Alamo and Ulati Creek were extensively modified in the early 1960's to create an integrated storm/flood control project. New channels were constructed and existing channels were diverted, realigned, and/or engineered to better facilitate drainage and conveyance of agricultural and urban runoff. Thus, treated wastewater and agricultural drainage water dominate flows within the UAA study segments a large part of the year. Both treated wastewater and agricultural drainage water are considered foreign or imported water, and riparian rights do not attach to such water supplies. Furthermore, there is not a sufficiently reliable supply of natural flow for domestic use by riparian users throughout the year, nor is the water quality sufficient for consumptive use, without extensive treatment. Also, because both New Alamo Creek and the downstream reaches of Ulati Creek are constructed channels that carry primarily foreign water (treated effluent and agricultural conveyance and drainage flows from imported water), it is possible that no riparian right could attach to them, particularly in the period when there is limited runoff in the drainage area.

There are additional legal constraints on uses in the UAA study segments. The Sacramento-San Joaquin Delta and its tributaries (including the UAA study segments) have been designated as fully appropriated during the period June 15 to August 31. Any new use by adjacent landowners or other use would require a water rights permit, and such an application would be denied if the riparian use occurred after the designation of full appropriation.

Status of Vallejo Pump Station

The City of Vallejo transferred 22,800 acre-feet of entitlements from Cache Slough to the North Bay Aqueduct at Barker Slough, and is planning to transfer the remaining entitlement (4,500 acre-feet) to Barker Slough. The pump station is not in a functional condition, diversions are not permitted by the California Department of Health Services (DHS), and significant water quality studies and physical facility work would be required before DHS would consider permitting a municipal intake at the abandoned Vallejo Pump Station.

Solano County Domestic Use Permitting

According to Solano County Code, *“all single-family dwellings shall be provided a potable water supply system Such system shall also satisfy all applicable requirements of the Uniform Plumbing Code and the Solano County Department of Environmental Management, Division of Environmental Health.”*

The supply may be public water system or on-site source. Section. 6.3-51 of Solano County Code states, *“Subject to the approval of the building official, a dwelling may be supplied potable water from either:*

(1) A public water service provided and managed by a public agency; or

(2) An on-site (i.e., located within the perimeter boundaries of the property upon which the dwelling is to be located), well, spring or surface supply, water storage and delivery system in accordance with this section.”

There are no records or knowledge of any water from these water bodies being diverted by adjacent landowners (Bell, pers. comm., 2004, 2007; State Water Board 2004; WRIMS 2007). East of the Coast Ranges, groundwater is ample, of suitable quality, and the requirements for point-of-source treatment are more easily satisfied for well water than for raw surface water (Bell, pers. comm., 2004).

Field Survey Results

RBI conducted field surveys for residents capable of diverting surface water for domestic use from New Alamo and lower Ulati Creek (below the confluence of New Alamo Creek). A new field survey in July 2007 did not find any changes. These surveys revealed the following findings:

1. There are nine residential dwellings adjacent to New Alamo Creek and none adjacent to lower Ulati Creek.
2. Only one parcel has a small privately operated pump capable of diverting surface water from New Alamo Creek; however, this diversion lead to a ditch in a field, indicating that diverted water is used for irrigation purposes.
3. All other diversions are operated by Solano Irrigation District or Maine Prairie Water District for irrigation uses.

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1 INTRODUCTION

A Use Attainability Analysis (UAA) is being conducted for portions of New Alamo Creek and Ulatis Creek to assess whether the municipal and domestic water supply (MUN) beneficial use designation for specific segments of these water bodies is appropriate. MUN is defined by the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins as “*uses of water for community, military, or individual water supply systems including, but not limited to, drinking water supply.*” The segments being evaluated are:

- New Alamo Creek from Old Alamo Creek to Ulatis Creek, and
- Ulatis Creek from New Alamo Creek to Cache Slough.

This Technical Memorandum was prepared as part of the evaluation to determine whether the MUN use is an existing use in the above segments.

2 STATE WATER RESOURCES CONTROL BOARD WATER RIGHTS SEARCH

The State Water Resources Control Board (State Water Board) Water Rights Division performed a water rights search of the Ulatis Creek watershed to identify all permitted/licensed surface water rights (State Water Board 2004). In July 2007, RBI accessed the online database of water rights (WRIMS 2007) and ascertained that there were no changes in water rights in the Ulatis Creek watershed since the original search. **Appendix A** summarizes the results of this search. **Figure 1** provides the approximate locations of the water rights listed in Appendix A within the lower portion of the watershed. The water rights that are not shown in Figure 1 are located to the north of the map boundary on Sweeney Creek or its tributaries in the English Hills. None of these water rights are for municipal or domestic uses. The City of Vacaville has never filed a water rights application for municipal use of water from the UAA study segments, and has no future plans for need for doing so.

There are two surface water rights permitted for domestic water supply use—D030686R and S009276. Both of these water rights are in the northwest corner of the Ulatis Creek watershed, with water right D030686R located on a tributary to Ulatis Creek in Pleasants Valley and S009276 located in the Vaca Mountains in the headwaters area of Ulatis Creek at an elevation of approximately 1,600 feet mean sea level (msl). There is an additional diversion with an unspecified use—S009277—at the same location as S009276.

Within the UAA study segments, only water rights for irrigation uses are identified by the State Water Board. No permitted surface water rights for municipal or domestic uses exist within the UAA study segments. Of the irrigation water rights in the UAA study segments, the majority are held by Maine Prairie Water District (MPWD) (8 rights), which diverts water from New Alamo Creek below the confluence of Old Alamo Creek, and from Ulatis Creek below the confluence of New Alamo Creek.

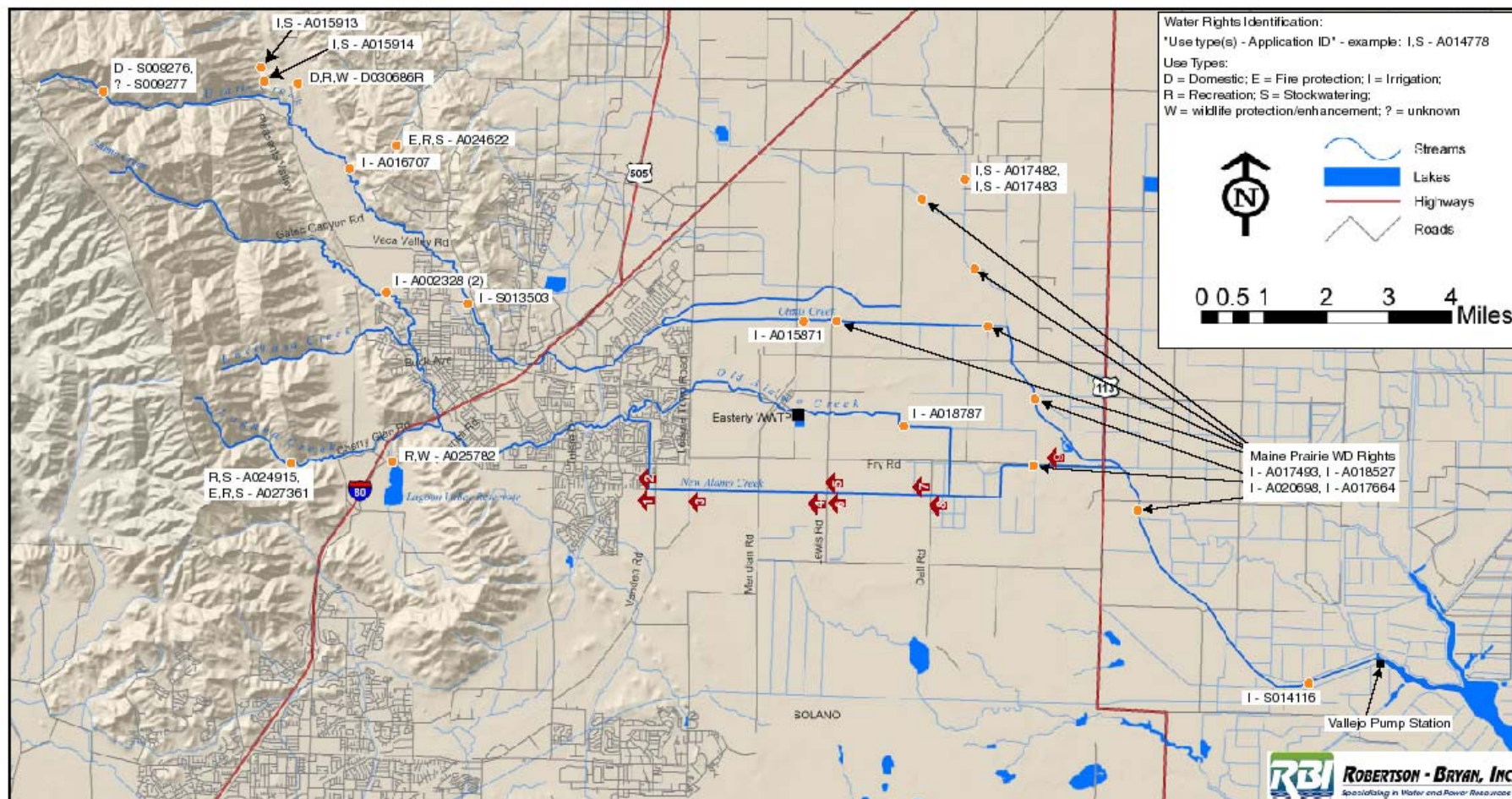


Figure 1. Location of residential dwellings and State Water resources Control Board Water Rights on Alamo and Ulatis creeks.

One private water right for irrigation uses exists in the lower reach of Ulatis Creek, about one mile upstream of the Ulatis Creek confluence with Cache Slough.

3 RIPARIAN RIGHTS ANALYSIS

Present uses along the UAA study segments are exclusively agricultural, with a small number of isolated residences. As noted previously, there are no permitted surface water rights for municipal or domestic uses within the UAA study segments. There is one permitted water right for irrigation uses downstream of the WWTP discharge. There are no known claimed riparian rights along any of the affected segments. There is the theoretical potential for someone to claim a riparian right along the UAA study segments. The legitimacy of any riparian claims to flows within the affected segments is questionable, however, due to both the nature of the water within the segments and the physical characteristics of the segments themselves. A brief summary of historic changes in the UAA study segments is warranted.

The Ulatis Creek watershed, which includes the Alamo Creek sub-watershed, was extensively modified in the early 1960s by the Solano County Flood Control and Water Conservation District and the U.S. Department of Agriculture, Soil Conservation Service who together completed the Ulatis Creek Watershed Protection and Flood Prevention Project (Solano County 1966–68). The purpose was to create an integrated storm drainage/flood control project with the modified Alamo and Ulatis creeks as the central conveyance for agricultural and urban storm/flood waters. Some key components of the project included the following:

1. Portions of Alamo Creek within the City were channelized and realigned, cutting off flows from the upper watershed to the lower portion of the original channel. Prior to this project, Alamo Creek’s natural channel flowed in a southeasterly direction for over 7 miles and tied into Ulatis Creek approximately 1.5 miles from Cache Slough. The remnant channel is referred to as “Old Alamo Creek.”
2. A new channel was engineered, designed, and constructed to collect and convey municipal wastewater, stormwater runoff, and agricultural drainage water—this new engineered channel is referred to as “New Alamo Creek.”
3. A new channel was engineered and designed to replace a portion of Ulatis Creek.
4. The lower portion of Ulatis Creek up to the confluence with Cache Slough was channelized and realigned.

The source and nature of water in the UAA study segments has a significant bearing on riparian rights as discussed further below.

Riparian water rights attach only to the natural flow of the stream. (*Bloss v. Rhilly* (1940) 16 Cal. 2d 70, 104 P.2d 1049.) Riparian rights do not attach to “foreign” or imported water supplies within a stream or channel, including drainage return flows from imported water. (*Stevens v. Oakdale Irrigation Dist.* (1939) 13 Cal.2d 343, 90 P.2d 58; *E. Clemens Horst Co. v. New Blue*

Point Mining Co. (1918) 177 Cal. 631, 171 P. 417.) Thus, any riparian right holder, existing or future, would have the right only to the natural flow of the creek and of the tributaries that enter into the creek above the riparian right holder's land. (*Crane v. Stevinson* (1936) 5 Cal. 2d 387, 54 P.2d 1100.)

Flows in the lower reaches of New Alamo Creek and Ulatitis Creek, outside the precipitation season (April–October), are generally less than 5 cubic feet per second (cfs) in each creek, with little to no input from the upper reaches beyond the month of June. During the irrigation season flows are dominated by agricultural drainage flows from applied imported water, irrigation water, and treated wastewater from the Easterly WWTP. The ratio of New Alamo Creek flow rate to Easterly WWTP effluent discharge flow rate during the irrigation season is typically on the order of 2:1 (2 parts streamflow to 1 part effluent) with available streamflow being comprised almost entirely of agricultural drainage flows and a small amount of urban runoff. Both the treated wastewater and agricultural drainage water are considered foreign or imported water supplies.

Because riparian rights do not attach to foreign or imported water supplies, and those supplies dominate flows within the UAA study segments a large part of the year, the segments do not offer a sufficiently reliable supply of natural flow to make them attractive candidates for domestic use by riparians. Moreover, it is not reasonably foreseeable that any future riparians would exercise their right for domestic use of flows within the UAA study segments due to the nature of the water. The flows are not suitable for a drinking water supply using conventional municipal treatment under Department of Health Services policy (DHS 1997) due to the sources of water to these segments and reach-specific water quality conditions (i.e., high percentage of EWWTP effluent, urban runoff, and agricultural drainage water) throughout most of the year.

Potential riparian users must obtain a water rights permit for use of any foreign or imported water. (*Stevinson Water District v. Roduner* (1950) 36 Cal.2d 264, 223 P.2d 209.) It is not likely that a water rights permit would be granted for municipal or domestic use of waters within the UAA study segments. The channels are tributary to, or within, the Sacramento-San Joaquin Delta. The Delta and its tributaries, from the Delta upstream, have been designated as fully appropriated during the period June 15 to August 31. As such, a water right application for use of water during this period would not be accepted. (Wat. Code §§ 1205(b) and 1206.) Any application pending, as of the date of designation, for use during that period, may be cancelled. (Wat. Code § 1206(a).) Additionally, any permit sought for 1 cfs or more or 100 acre-feet annually or more of storage would contain standard permit term 91. Term 91 disallows diversion under the permit at any time water is being released from Central Valley Project or State Water Project storage in order to, among other things, maintain Delta water quality standards and fish and wildlife. Finally, the quality of the source may lead to denial of a permit.

Even if flows within the UAA study segments were suitable for municipal or domestic use by riparians, there is a question whether any riparian rights could attach to them because the channels themselves are constructed, not natural. "*Riparian water rights exist only in natural watercourses and in waters naturally flowing therein.*" (*Chowchilla Farms v. Martin* (1933)

219 Cal. 1, 19; 25 P.2d 435, 442.) Ordinarily, riparian rights attach only to a natural water course, and not to an artificial channel such as a canal which is used to carry water from a stream. (*Tusher v. Donlon* (1998) 68 Cal.App.4th 131, 147.) Riparian rights may attach to an artificial channel, but courts have applied this rule only in situations where the channel is constructed for the purpose of permanently conveying natural flows, including the natural drainage of the watershed that is tributary to it. (See *Chowchilla Farms, Inc. v. Martin* (1933) 219 Cal. 1, 14-18 (artificial channel constructed to re-direct the flow of the Kings River); *San Gabriel Valley Country Club v. County of Los Angeles* (1920) 182 Cal. 392, 188 P. 554 (flood waters diverted into constructed channel); *Weck v. Los Angeles County Flood Control Dist.* (1951) 104 Cal.App. 2d 599, 611; *Green v. Carotta* (1887) 72 Cal. 269-270; 13 P. 685.)

Alamo Creek originates in the Vaca Mountains and flows east-southeast through the City of Vacaville, ultimately joining Ulati Creek on the Sacramento Valley floor. In the early 1960s the Solano County Flood Control and Water Conservation District and the U.S. Department of Agriculture Soil Conservation Service built the Ulati Creek Watershed Protection and Flood Prevention Project. As part of this project, portions of Alamo Creek within the City were channelized and realigned, cutting off flows from the upper watershed to the lower portion of the original channel. The channelized portion of the creek, which conveys flows from the upper Alamo Creek watershed, is referred to as “New Alamo Creek.” New Alamo Creek is an engineered earthen flood control channel. Ulati Creek is similar to Alamo Creek/New Alamo Creek in that it originates in the Vaca Mountains and flows through the City and onto the Sacramento Valley floor. Downstream of the confluence with Alamo/New Alamo Creek, in the affected UAA study segments, Ulati Creek is a straightened, enlarged and leveed channel. Because both New Alamo Creek and the downstream reaches of Ulati Creek are constructed channels that carry primarily foreign water (treated effluent and agricultural conveyance and drainage flows from imported water), it is possible that no riparian rights could attach to them, at least in the period when there is limited runoff in the drainage area. There has been no investigation of title concerning lands adjacent to the UAA study segments. Such an investigation would be necessary to determine whether and the extent to which riparian rights might exist, assuming riparian rights could otherwise be claimed in the waters.

4 HISTORY OF ABANDONED VALLEJO PUMP STATION

In the mid-1980s, the City of Vallejo transferred 22,800 acre-feet per year of entitlements from Cache Slough to the North Bay Aqueduct at Barker Slough. Vallejo does not have a permit from DHS to divert that water at the now abandoned Vallejo Pump Station, and the pump station is no longer in a functional condition. Vallejo was not allowed to use the pump station during the 1991 drought because it did not have a DHS permit. Furthermore, Vallejo has not completed a sanitary survey or other work necessary for DHS to permit this diversion, and does not intend to do so.

In 1998, the City of Vacaville entered into an agreement with the City of Vallejo to transfer the remaining 4,500 acre-feet of entitlements from Cache Slough to Barker Slough. However, the State Department of Water Resources has asked that this transfer wait until the Central Valley

Project Operations Criteria and Plan has been completed. The City of Napa's approval may or may not be required to move this final component of Vallejo's entitlement.

If a public water system uses a lake, stream or pond, the use is regulated by the U.S. EPA Surface Water Treatment Rule. The Surface Water Treatment Rule contains provisions that require disinfection and filtration for all public water systems that use surface water or a source that is groundwater under the direct influence of surface water. The current Surface Water Treatment Rule would not alleviate DHS' concerns regarding the poor water quality at this site. Significant additional water quality studies including a sanitary survey and physical facility work would be required before DHS would consider permitting a municipal intake at the abandoned Vallejo Pump Station site (DHS 1995). DHS has stated that the normal level of treatment of surface water would not be adequate for this site.

5 SOLANO COUNTY DOMESTIC WATER PERMITS

Solano County has adopted code for the purpose of defining rules and regulations pursuant to the State Housing Law and the Health and Safety Code, for the protection of the public health, safety and general welfare of occupants of any building used for human habitation. The county has adopted the California Building Standards Code, which includes the Uniform Plumbing Code.

The Uniform Plumbing Code covers minimum water supply for single-family dwellings, and states that all single-family dwellings shall be provided a potable water supply system and that such system shall also satisfy all applicable requirements of the Solano County Department of Environmental Management, Division of Environmental Health (Solano County Code Sec. 6.3-51). Section 6.3-51 further states that a dwelling shall be provided potable water (fit or suitable for drinking) from either a public water service provided and managed by a public agency; or an on-site well, spring or surface supply, water storage and delivery system. Surface supplies must be provided with continuous disinfection treatment prior to entry to the distribution system and meet minimum production requirements and have Environmental Health Division approval as required by Chapter 13.10 of Solano County Code.

Solano County Code (Sec. 6.3-52) states:

(a) No grading, building or plumbing permit application or plans for a project which will require new service with potable water shall be issued unless:

(3) An on-site well, spring or surface supply is installed, tested and is certified to satisfy the requirement of Section 6.30.510b or the building official is provided evidence showing that potable water adequate to satisfy the standards of Section 6.30.510b is available on-site; and

(4) All on-site water sources shall be analyzed for the presence of total coliform bacteria If any sample is total coliform positive, a repeat sample shall be collected from the same location. If the repeat sample is also total coliform positive, the sample

shall be analyzed for the presence of fecal coliform or Escherichia coli (E. Coli). If the repeat sample is positive, corrective action shall be taken to eliminate the cause of the positive samples.

(b) No final building inspection for a dwelling shall be approved until the dwelling is connected to an operating water supply approved pursuant to this section.

Chapter 26, Subdivisions, of Solano County Code states that a “*plan for providing a permanent domestic water supply*” shall be part of each tentative map and a description of the supply, whether provided by a public water system or individual, on-site supply, shall be included (Sec. 26-63).

There are no county records showing, or knowledge, that any water is being diverted for domestic supply (Bell, pers. comm., 2004, 2007). East of the Coast Ranges, groundwater is ample, of suitable quality, and the requirements for point-of-source treatment are more easily satisfied for well water than for surface water (Bell, pers. comm., 2004).

6 SURVEY OF DOMESTIC USES

RBI conducted field surveys of New Alamo Creek and Ulati Creek below the confluence of New Alamo Creek. Surveys were conducted on June 23, July 8, 27, and 28, 2004, during days when RBI field crews were conducting flow measurements on Alamo and Ulati creeks. Only dwellings within approximately 200 yards of the waterways were surveyed for diversion facilities.

Field surveys revealed that there are nine dwellings in close proximity to the creeks and that all of these are located on New Alamo Creek (**Figure 1**). **Table 1** provides a summary of the survey results. With the exception of one dwelling (number 8), none of the surveyed dwellings had facilities for diverting water from New Alamo Creek. Dwelling number 8, located on Dally Road, south of New Alamo Creek, has a pump leading to a field ditch for diversion of New Alamo Creek water for irrigation purposes.

On July 5, 2007, RBI re-surveyed New Alamo Creek and Ulati Creek below the confluence of New Alamo Creek to once again determine if any residential dwelling adjacent to these water bodies had existing facilities in place for diverting surface water for domestic uses. No changes to the original survey findings were observed.

In addition, as part of updating this TM, interviews with agency staff and local residents were re-conducted and expanded over the initial 2004 efforts, and were documented (**Appendix B**), to determine whether the MUN use is presently occurring or has occurred since November 28, 1975 in the UAA study segments. Interviews were conducted with DHS, Solano County Department of Resources Management, Solano County Resource Conservation District, Solano Irrigation District, Solano County Water Agency, Dixon Resource Conservation District, and Maine Prairie Water District staff. In addition, the resident of dwelling number 8 was interviewed (see Figure

1). This resident confirmed that their domestic water supply is from a well. All parties interviewed indicated that they are not aware of any current or past municipal or domestic use of water diverted from the UAA study segments (Appendix B).

Table 1. Summary of residential dwellings located adjacent to New Alamo and Ulatis Creeks within the Use Attainability Analysis study segments, and presence/absence of surface water diversion facilities.

Dwelling Number	Approximate Distance to Creek (feet)	Adjacent Creek ^a	Access Road	Diversion Facilities
1	250	New Alamo	Vanden Road	None
2	250	New Alamo	Vanden Road	None
3	200	New Alamo	Leisure Town Road	None
4	500	New Alamo	Lewis Road	None
5	100	New Alamo	Lewis Road	None
6	200	New Alamo	Lewis Road	None
7	300	New Alamo	Dally Road	None
8	500	New Alamo	Dally Road	For irrigation only
9	150	New Alamo	Fry Road	None

^a See Figure 1 for locations of residential dwelling.

7 REFERENCES

Bell, Jeffrey. Sr. Environmental Health Specialist. Solano County, Department of Resources Management. November 2004 – personal communication with Joan McHale of RBI regarding domestic water use in Solano County.

Bell, Jeffrey. Sr. Environmental Health Specialist. Solano County, Resource Conservation District. July 2007 – personal communication with Joan McHale of RBI regarding domestic water use in Solano County.

DHS (Department of Health Services). 1995. Letter to Mr. David Tompkins, City of Vacaville from Clifford Bowen, P.E., District Engineer, San Francisco District, Division of Drinking Water Field Operations Branch, California Department of Health Services. January 27, 1995.

———. 1997. *Policy Memo 97-005 Policy Guidance for Direct Domestic Use of Extremely Impaired Sources*. November 5, 1997. Available <<http://www.dhs.ca.gov/ps/ddwem/chemicals/>>

State Water Board (State Water Resources Control Board). 2004. Water Rights Database.

WRIMS (Water Rights Information Management System). 2007. <<http://165.235.31.51/login.html>>. Accessed June 27 and July 7, 2007.

APPENDIX A

Permitted Surface Water Rights in the Ulatis Creek Watershed

Permitted and Licensed Surface Water Rights in the Ulatis Creek Watershed.

Source: Water Rights Information Management System (WRIMS), Accessed June 27 and July 7, 2007.

State Water Resources Control Board, Water Rights Division, 2007

Application ID	Owner	Place of Diversion	Source Name	Tributary Name	Diversion Season	Season Storage	Season Net Acres	Max Use Annual (af)	Max Storage (af)	Max Direct Diversion (cfs)	Point of Diversion Direct (cfs)	Use Code
A002328	ROGERS	SW NE 18 06N01WM	ALAMO CR	ULATIS CR	11/15-5/15	0	100	0	NA	1.25	1.25	I
A002328	ROGERS	SW NE 18 06N01WM	ALAMO CR	ULATIS CR	11/15-5/15	0	100	0	NA	1.25	1.25	I
A015871	Julia I Carrington Trust	NW NW 17 06N01EM	ULATIS CR	CACHE SL	4/1-10/31	0	80	317	NA	1.1	1.1	I
A015913	HARRIS	SW SE26 07N02WM	UNSTATED	ULATIS CR	4/1-10/1	0	15	0	NA	0.06	0.06	I, S
A015914	HARRIS	NE NE35 07N02WM	UNSTATED	ULATIS CR	0	0	15	0	20	0	0	I,S
A016707	SIMPSON	NW NE01 06N02WM	ULATIS CR	CACHE SL	4/15-6/15	0	22	0	NA	0.09	0.09	I
A017482	MACHADO	NE SE04 06N01EM	SWEANEY CR	ULATIS CR	4/1-11/1	0	31	115	0	0.5	0.5	I
A017483	MACHADO	NE SE04 06N01EM	SWEANEY CR	ULATIS CR	4/1-11/1	0	183	686	0	2.8	2.8	I
A017493	MAINE PRAIRIE WD	SE NE22 06N01EM	ULATIS CR	CACHE SL	4/1-11/30	0	160	0	NA	2	0.2	I
A017493	MAINE PRAIRIE WD	NW SE27 06N01EM	ALAMO CR	CACHE SL	4/1-11/30	0	160	0	NA	2	0.2	I
A017493	MAINE PRAIRIE WD	NE SE04 06N01EM	SWEANEY CR	CACHE SL	4/1-11/30	0	160	0	NA	2	0.2	I
A017493	MAINE PRAIRIE WD	NE SE09 06N 01EM	SWEANEY CR	CACHE SL	4/1-11/30	0	160	0	NA	2	0.2	I
A017493	MAINE PRAIRIE WD	NW NE36 06N01EM	ULATIS CR	CACHE SL	4/1-11/30	0	160	0	NA	2	0.2	I
A017493	MAINE PRAIRIE WD	SW NW15 06N01EM	ULATIS CR	CACHE SL	4/1-11/30	0	160	0	NA	2	0.2	I
A017493	MAINE PRAIRIE WD	NE NW17 06N01EM	ULATIS CR	CACHE SL	4/1-11/30	0	160	0	NA	2	0.2	I
A017664	MAINE PRAIRIE WD	SE NE22 06N01EM	ULATIS CR	CACHE SL	5/1-11/30	0	160	0	NA	2	2	I
A017664	MAINE PRAIRIE WD	NW NE36 06N01EM	ULATIS CR	CACHE SL	5/1-11/30	0	160	0	NA	2	2	I
A017664	MAINE PRAIRIE WD	SW NW15 06N01EM	ULATIS CR	CACHE SL	5/1-11/30	0	160	0	NA	2	2	I
A017664	MAINE PRAIRIE WD	NE SE27 06N01EM	ALAMO CR	CACHE SL	5/1-11/30	0	160	0	NA	2	2	I
A017664	MAINE PRAIRIE WD	NE SE04 06N01EM	SWEANY CR	CACHE CR	5/1-11/30	0	160	0	NA	2	2	I
A017664	MAINE PRAIRIE WD	NE SE09 06N 01EM	SWEANY CR	CACHE CR	5/1-11/30	0	160	0	NA	2	2	I
A017664	MAINE PRAIRIE WD	NE NW17 06N01EM	ULATIS CR	CACHE SL	5/1-11/30	0	160	0	NA	2	2	I
A018527	MAINE PRAIRIE WD	SE NE22 06N01EM	ULATIS CR	CACHE SL	5/1-11/1	0	174	0	NA	2.11	2.11	I
A018527	MAINE PRAIRIE WD	SE NE22 06N01EM	ULATIS CR	CACHE SL	5/1-11/1	0	174	0	NA	2.11	2.11	I
A018527	MAINE PRAIRIE WD	NW NE36 06N01EM	ULATIS CR	CACHE SL	5/1-11/1	0	174	0	NA	2.11	2.11	I
A018527	MAINE PRAIRIE WD	NE SE04 06N01EM	SWEANY CR	CACHE SL	5/1-11/1	0	174	0	NA	2.11	2.11	I

Application ID	Owner	Place of Diversion	Source Name	Tributary Name	Diversion Season	Season Storage	Season Net Acres	Max Use Annual (af)	Max Storage (af)	Max Direct Diversion (cfs)	Point of Diversion Direct (cfs)	Use Code
A018527	MAINE PRAIRIE WD	NW SE27 06N01EM	ALAMO CR	CACHE SL	5/1-11/1	0	174	0	NA	2.11	2.11	I
A018527	MAINE PRAIRIE WD	NE SE09 06N 01EM	SWEANEY CR	CACHE SL	5/1-11/1	0	174	0	NA	2.11	2.11	I
A018527	MAINE PRAIRIE WD	NE NW17 06N01EM	ULATIS CR	CACHE SL	5/1-11/1	0	174	0	NA	2.11	2.11	I
A018527	MAINE PRAIRIE WD	SW NW15 06N01EM	ULATIS CR	CACHE SL	5/1-11/1	0	174	0	NA	2.11	2.11	I
A018701	BROWN	SW NE21 07N01WM	UNSTATED	SWEENEY CR	0	12/1-4/1	0	107	107	0	0	H, R
A018787	CHRISTIANSEN	NW NW28 06N01EM	ALAMO CR	ULATIS CR	4/1-9/1	0	70	0	NA	1	1	I
A019989	ROBINSON III	NW NW20 07N01WM	UNSTATED (2)	SWEENEY CR	0	10/1-5/31	20	29	29	0	0	I, R, S
A020698	MAINE PRAIRIE WD	SE NE22 06N01EM	ULATIS CR	CACHE SL	3/1-7/1	0	7500	0	NA	96	96	I
A020698	MAINE PRAIRIE WD	NW NW22 06N01EM	UNDR	ULATIS CR	3/1-7/1	0	7500	0	NA	96	96	I
A020698	MAINE PRAIRIE WD	NW SE27 06N01EM	ALAMO CR	ULATIS CR	3/1-7/1	0	7500	0	NA	96	96	I
A020698	MAINE PRAIRIE WD	NE SE04 06N01EM	SWEENEY CR	ULATIS CR	3/1-7/1	0	7500	0	NA	96	96	I
A020698	MAINE PRAIRIE WD	NE SE09 06N 01EM	SWEENEY CR	ULATIS CR	3/1-7/1	0	7500	0	NA	96	96	I
A020698	MAINE PRAIRIE WD	NW NE36 06N01EM	ULATIS CR	CACHE SL	3/1-7/1	0	7500	0	NA	96	96	I
A020698	MAINE PRAIRIE WD	SW NW15 06N01EM	SWEENEY CR	CACHE SL	3/1-7/1	0	7500	0	NA	96	96	I
A020698	MAINE PRAIRIE WD	NE NW17 06N01EM	ULATIS CR	CACHE SL	3/1-7/1	0	7500	0	NA	96	96	I
A021981	FUSCHLIN	SW NE25 07N02WM	UNSTATED	SWEENEY CR	0	10/15-5/1	0	0	7	0	0	S
A021981	FUSCHLIN	SW NE25 07N02WM	UNSTATED	SWEENEY CR	0	10/15-5/1	0	0	7	0	0	S
A021992	O'MEARA	NW SE18 07N01WM	DRY ARROYO	MCCUNE CR	0	11/1-3/1	0	5	5	0	0	S
A021993A	AQUILINA	SE NE19 07N01WM	UNSTATED	SWEENEY CR	0	11/1-3/1	0	34	34	0	0	S
A021993B	KOWALSKI	SE SE24 07N01WM	UNSTATED	SWEENEY CR	0	11/1-3/1	0	0	4	0	0	S
A021994	GEX	SE SE36 07N02WM	UNSTATED	ULATIS CR	0	11/1-3/1	0	0	10	0	0	S
A022376	RUSSELL	NE NE19 07N01WM	UNSTATED	SWEENEY CR	0	12/1-4/1	0	0	4	0	0	R, S
A023251	GOUDIE	SW SE21 07N01WM	SWEENEY CR	ULATIS CR	3/1-7/1	0	55	66	NA	0.44	0.44	I
A023251	GOUDIE	NW SE21 07N01WM	SWEENEY CR	ULATIS CR	3/1-7/1	0	55	66	NA	0.44	0.44	I
A024622	MOTISKA	NE NW06 06N01WM	UNSTATED	SF ENGLISH CR	0	11/1-3/30	0	3	3	0	0	E, R, S
A024663	GOURLEY	SW SW17 07N01WM	UNSTATED	SWEENEY CR	0	11/1-4/1	0	0	18	0	0	E, R, S
A024915	STURLA	NE NE35 06N02WM	UNSTATED	LAGUNA CR	0	10/1-6/30	0	8.5	8.5	0	0	R, S
A025782	Vacaville PW Dept	NW SE30 06N01WM	UNSTATED	LAGUNA CR	0	10/1-4/30	0	0	780	0	0	R, W
A026820	BERTOLERO	NE NW10 07N01WM	UNSTATED	DRY ARROYO	0	10/1-5/1	0	0	30	0	0	R, S
A026821	BERTOLERO	NE NW10 07N01WM	UNSTATED	DRY ARROYO	0	10/1-5/1	0	0	33	0	0	R, S

Application ID	Owner	Place of Diversion	Source Name	Tributary Name	Diversion Season	Season Storage	Season Net Acres	Max Use Annual (af)	Max Storage (af)	Max Direct Diversion (cfs)	Point of Diversion Direct (cfs)	Use Code
A026822	BERTOLERO	SW NE10 07N01WM	UNSTATED	DRY ARROYO	0	10/1-5/1	0	0	30	0	0	R, S
A027361	STURLA	NE NE35 06N02WM	UNSTATED	LAGUNA CR	0	10/1-6/30	0	4.5	4.5	NA	0	E, R, S
A027904	WHARTON	SW SE04 07N01WM	UNSTATED	DRY ARROYO	0	10/1-3/31	10	0	8	0	0	E, I, S, W, R
D030686R	KNOROSKI	NE SE26 07N02WM	UNSTATED	ULATIS CR	0	9/1-6/14	0	NA	10	NA	NA	D, R, W
L031506	TIMM	SW SE09 07N01WM	UNSTATED	DRY ARROYO	0	11/1-4/30	40	10	10	0	0	L
S009276	ARMITAGE	NW NW33 07N02WM	UNSP	ULATIS CR	1/1-12/31	0	0	0	0	14400 GPD	14400 GPD	D
S009277	ARMITAGE	SW NW33 07N02WM	UNSP	ULATIS CR	?	?	?	0	0	14400 GPD	14400 GPD	?
S013503	MARTINDALE	NE SE17 06N01WM	ULATIS CR	CACHE SL	1/1-12/31	0	9	0	0	0.111	0.111	I
S014116	SCHROPP	NE SE08 05N02EM	ULATIS CR	CACHE SL	4/1-10/31	0	712.2	0	0	0	0	I

Use Types

D = Domestic

E = Fire protection

H = Fish culture

I = Irrigation

L = Heat protection

R = Recreation

S = Stockwatering

W = Wildlife protection/enhancement

? = unknown

APPENDIX B



Record of Interviews

INTERVIEW

Date: 7-2-07

Phone

Personal

Name: Jeffrey Bell

Phone: (707) 678-1655

Agency: Resource Conservation District (Solano Co)

"Is there any known use of lower reaches of New Alamo or Ulatia Creek for MUN since 1975?"

Response:

Not that I'm aware of. There have been no changes in our use since we talked in 2004.

NOTE: agency name change

interviewed by Jean McHale
Robertson-Bryson, Inc.

INTERVIEW

Date: 8.20.07 Phone Personal

Name: Lisa Kammer

Phone: (707) 448-6847

Agency: Solano Irrigation District

"Is there any known use of lower reaches of New Alamo or Ulati Creek for MUN since 1975?"

Response:

None that I'm aware of. My district doesn't go that far. Call Dixon Res. Cons. District and Solano Co. Water Agency.

Interviewed by: Jan McHale
Robertson-Bryan, etc

INTERVIEW

Date: 8.21.07

Phone

Personal

Name: FRANK MORRIS

Phone: (707) 455-4026

Agency: Solano Irrigation District (SID)

"Is there any known use of lower reaches of New Alamo or Ulatis Creek for MUN since 1975?"

Response:

To my knowledge, there is no MUN use from water in Alamo Creek.

SID uses well water in Darius and Lake Berryessa water in Suisun.

interviewed by: Joan McHale
Robertson-Bryan, Inc.

Joan McHale

From: Walker, Leah (CDPH-DDWEM) [Leah.Walker@cdph.ca.gov]
Sent: Wednesday, August 22, 2007 6:32 PM
To: Joan McHale
Subject: RE: Alamo & Ulati Creek

Joan –

We only keep records for sources of water used as supplies for public drinking water systems, and only at the intake.

The only public water system taking water from the lower reaches of New Alamo or Ulati creeks was the City of Vallejo. Their intake has not been used for many years. The City of Vallejo's NBA supply did not come on-line until the 1980s.

We have no other other information on sources of public drinking on the lower reaches of New Alamo or Ulati creeks.

Leah Godsey Walker, P.E.

(please note the new e-mail and mailing address!!)

Chief, Technical Operations Section

Drinking Water Technical Programs Branch

California Department of Public Health

Leah.Walker@cdph.ca.gov

916-449-5620

1616 Capitol Avenue, MS 7417

P.O. Box **997377**

Sacramento, CA 95899-7377

From: Joan McHale [mailto:joan@robertson-bryan.com]
Sent: Monday, August 20, 2007 2:10 PM
To: Walker, Leah (CDPH-DDWEM)
Subject: Alamo & Ulati Creek

Leah, as you probably know, RBI is writing the UAA report for Alamo & Ulati creeks. Mike Bryan has asked me to research water use from the creeks. The question: Is MUN an existing use?

- Does DHS keep records of any water use from the creeks?
- Is there any known use of lower reaches of New Alamo or Ulati Creek for MUN since 1975?

Joan McHale

Project Coordinator

916.714.1808

8/23/2007

INTERVIEW

Date: 8-29-07 Phone Personal

Name: David Okita, General Manager

Phone: 707 451-6090

Agency: Solano County Water Agency

Question:

"Are you aware of any documented use of lower New Alamo Creek, below confluence with Old Alamo Creek, or Lower Ulatis Creek, below confluence with New Alamo Creek, for municipal or domestic water supply since 1975?"

Response:

The answer is no. We are not aware of anyone using it for those purposes and, of course, it would not be appropriate for such use.

David has been w/SCWA since 1989 and he indicated that it's never been brought to his attention and he's never seen any documentation of such use.

Interview Conducted by: Michael Bryan
off: Robertson Bryan, Inc.

INTERVIEW

Date: 8-29-07 Phone Personal

Name: John Currey, District Manager

Phone: 707 678-1655, ext. 105

Agency: Dixon Resource Conservation District

Question:

"Are you aware of any documented use of lower New Alamo Creek, below confluence with Old Alamo Creek, or Lower Ulatis Creek, below confluence with New Alamo Creek, for municipal or domestic water supply since 1975?"

Response:

No, not that I am aware of. There are very few homes within close proximity of these lower reaches, and it's very unlikely they would want to use the water for this purpose.

Interview Conducted by: Michael Bryan
of: Robertson-Bryan, Inc.

INTERVIEW

Date: 8-29-07

Phone

Personal

Name: Lisa Stanley

Phone: 707 449-1512

Affiliation: Homeowner on Dally Rd.

Question:

"Are you currently diverting and using New Alamo Creek water for your home domestic water supply, or have you ever done so in the past?"

Response: NO, we have a well.

Interview conducted by: Michael Bryan
of Robertson-Bryan, Inc.

INTERVIEW

Date: 8-30-07

Phone

Personal

Name: Don Holden, General Manager

Phone: 707 678-5332

Agency: Maine Prairie Water District

Question:

"Are you aware of any documented use of lower New Alamo Creek, below confluence with Old Alamo Creek, or Lower Ulatis Creek, below confluence with New Alamo Creek, for municipal or domestic water supply since 1975?"

Response:

I am not aware of anyone pumping water out of these reaches for home use — only irrigation use. The water quality used to be even worse in the past, so I am confident nobody used it for home use in the past.

Interview conducted by: Michael Bryan
of: Robertson-Bryan, Inc.